

JUL 07 1998

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 96-02189

COUNSEL: None

HEARING DESIRED: No

APPLICANT REQUESTS THAT:

His date of rank (DOR) to major be changed from 5 June 1996 to 14 May 1995.

APPLICANT CONTENDS THAT:

The reasons the applicant believes the records to be in error or unjust and the evidence submitted in support of the appeal are at Exhibit A.

STATEMENT OF FACTS:

The relevant facts pertaining to this application, extracted from the applicant's military records, are contained in the letter prepared by the appropriate office of the Air Force and in the documents submitted by the applicant. Accordingly, there is no need to recite these facts in this Record of Proceedings.

AIR NATIONAL GUARD EVALUATION:

The Chief, Utilization, ANG/MPPU, reviewed the application and states that the State (of [REDACTED]) and the author support adjusting the applicant's DOR to major to 26 October 1995, rather than 14 May 1995 as applicant requests. A promotion board action cannot be initiated until wing commander approval is received, and none of the documentation supports a date prior to 24 October 1995. The additional two days allow for convening a promotion board and normal administrative processing of this action.

A complete copy of the evaluation, with attachment, is at Exhibit C.

APPLICANT'S REVIEW OF AIR NATIONAL GUARD EVALUATION:

A complete copy of the evaluation was forwarded to the applicant on 16 March 1998, for review and response within 30 days. As of this date, no response has been received by this office.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice to warrant granting partial relief. We note the applicant requests his present DOR of 5 June 1996 be changed to 14 May 1995. However, based on the evidence of record and the chronology of events, we agree with ANG/MPPU's rationale that applicant's DOR should be moved back to 26 October 1995, rather than 14 May 1995. Therefore, we recommend the applicant's records be corrected to the extent indicated below.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that he was promoted to the Air National Guard grade of major effective and with a date of rank of 26 October 1995, rather than 5 June 1996.

The following members of the Board considered this application in Executive Session on 11 June 1998, under the provisions of AFI 36-2603:

Mr. Thomas S. Markiewicz, Panel Chair
Mr. Robert W. Zook, Member
Mr. Olga M. Crerar, Member

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 30 Jul 96, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, ANG/MPPU, dated 29 Jan 98, w/atchs.
- Exhibit D. Letter, AFBCMR, dated 16 Mar 98.


THOMAS S. MARKIEWICZ
Panel Chair



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

JUL 07 1996

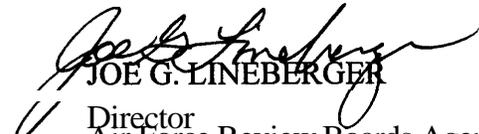
Office of the Assistant Secretary

AFBCMR 96-02189

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that he was promoted to the Air National Guard grade of major effective and with a date of rank of 26 October 1995, rather than 5 June 1996.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency